

**KENTUCKY COMMISSION  
ON  
SERVICES AND SUPPORTS  
FOR INDIVIDUALS WITH INTELLECTUAL  
AND OTHER DEVELOPMENTAL DISABILITIES**

**September 5, 2013  
Fair Oaks, 4<sup>th</sup> Floor  
Frankfort, Kentucky**

**MEMBERS PRESENT**

Acting Commissioner Dunnigan  
Lisa Lee for Commissioner Kissner  
Pat Seybold  
Cathy Edwards  
David Beach  
James Chesser  
Jeffery Rice  
Brenda Hosford  
Tammie Hollar  
Peter Perry

Dana Nickles for Secretary Haynes  
  
Harold Kleinert  
Patty Dempsey  
Robert Ryan  
Senator Tom Buford  
Christopher George  
Steve Shannon  
Anne Montgomery  
Melissa David

**MEMBERS ABSENT**

Missy McKiernan  
Senator Julie Denton  
Donald Putnam

Representative Jimmie Lee

**OPENING REMARKS**

Acting Commissioner Dunnigan thanked the members of the Commission for their attendance and participation and introduced Dana Nickles from the Secretary's office. Ms. Nickles led the remainder of the meeting. It was announced that full implementation of the new SCL regulation will begin January 1, 2014 with transitions occurring by participants' birth month. It was delayed to ensure the infrastructure is in place.

**REVIEW OF MINUTES**

The correction to the March 7, 2013 Minutes concerning a recommendation made by the Health and Wellness Committee was approved along with the June 6, 2013 minutes.

**HOUSE BILL 144 ANNUAL REPORT**

A copy of the Annual Report to the legislative Review Committee and Governor Beshear is in the commission members' folders and will be sent via email. A motion was proposed to send changes to Jennifer O'Brien at the Division for Developmental and Intellectual Disabilities, by September 13, 2013 if commission members would like to recommend a change in the

document. As long as the recommended changes to the document are not significant, the Commission agreed to approve the document.

### **PRESENTATION: National Core Indicators**

Presentation was led by Dr. Harold Kleinert of UK Human Development Institute. See attached PowerPoint presentation.

### **SUBCOMMITTEE REPORTS**

#### **Participant Direction:**

- This subcommittee met today and they have had several phone and email meetings.
- Currently in “holding mode” until the new SCL services begin.
- The group described how pertinent information is not getting to the DDID individuals and families. The group has several target issues: transportation, participant direction (PDS), and seeking clarity of services specifically related to new regulations.
- Added a member from the Department of Education.
- Have templates for PDS Manual from 3 different states and are working with DDID staff to draft a manual for Kentucky. Want to make the road less bumpy for people.
- A DAIL representative will be invited to participate in future meetings.
- Next meeting in several weeks to discuss survey outcomes and interventions.

#### **Community Integration**

- Great attendance at the last forum in Owensboro.
- Direct Support Professionals can do more to help the situation of integrating individuals into the community in which they live.
- An example of community integration was helping someone go to a community pool hall to play pool with community members rather than playing only with staff or playing in a segregated setting.
- Next forum will be in Northern Kentucky, date and time to be announced (TBA). Once information is gathered, the subcommittee will present to the commission.

#### **Health and Wellness:**

- Did not have a meeting this quarter. The next meeting TBA.
- Looking at the next steps regarding the subcommittee

### **UPDATES**

**See Attached** from Protection and Advocacy; the Commonwealth Council on Developmental Disabilities; Office of Vocational Rehabilitation; and UK Human Development Institute.

#### **Update on new SCL Waiver**

Participant Direction (PDS) will not have a single fiduciary agent as originally written in the waiver submitted to CMS. This has been amended and the current process will continue.

People whose birth month is in January 2014 will receive notification letters in November 2013 informing them that they will transition to new SCL services in January.

## **PUBLIC COMMENTS**

It was announced that the Oakwood Outpatient clinic is now open.

Regarding aging out of children's services to adult services, "what is supposed to happen, and where is the support"?

There were many public comments concerning Michelle P. Waiver. Committee members and members of the public attending the meeting made the following requests for information:

- Rates of Denials
- Names of individuals denied
- Number of physicians employed by Care Wise who have participated in MPW reviews in the last 12 months

Other comments regarding MPW:

What is the methodology for denial and approval of services?

There is a "wild rumor" circulating that DMS and DBHDID reviewed records for MPW which has heightened the concern.

Due to Michelle P waiver questions and concerns there will be a special meeting to discuss MPW approximately 30 days from today. Date TBA

## **MEETING AJOURNED**

**Next Full HB 144 Commission Meeting is December 5, 2013 from 1-4 pm in Large A and B.**